

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE
CATHY COX**

(Pursuant to OCGA §§ 50-13-3, 50-13-4, and 50-13-6.)

I do hereby certify that the attached is a correct copy of revised Rules Chapter 290-2-7 entitled "Rules and Regulations for Outdoor Therapeutic Camps" as promulgated and adopted on the 16th day of August, 2006.

GEORGIA DEPARTMENT OF HUMAN RESOURCES

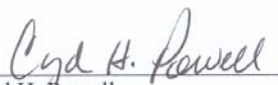
Filed August 21, 2006.

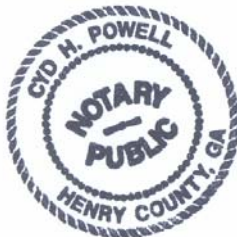
The attached Rules Chapter 290-2-7 entitled "Rules and Regulations for Outdoor Therapeutic Camps" is hereby adopted as a new Rules Chapter of the same number and title.

Statutory Authority: OCGA §§ 49-5-3, 49-5-8 and 49-5-12.


B. J. Walker
Commissioner

Sworn to and subscribed before me
this 21st day of August, 2006.


Cyd H. Powell
Notary Public, Henry County, Georgia
My commission expires February 1, 2008



**RULES
OF
DEPARTMENT OF HUMAN RESOURCES
OFFICE OF REGULATORY SERVICES**

**CHAPTER 290-2-7
RULES AND REGULATIONS FOR OUTDOOR THERAPEUTIC CAMPS**

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290-2-7-.01 Definitions. Amended.

Unless a different meaning is required by the context, the following terms as used in these rules and regulations shall have the meaning hereafter respectively ascribed to them:

(a) "Administrator" or "Executive Director" means the person responsible for overall administration of the Therapeutic Camp.

(b) "Behavior management" means those principles and techniques used by a therapeutic camp to assist a child in facilitating self-control, addressing inappropriate behavior, and achieving positive outcomes in a constructive and safe manner. Behavior management principles and techniques shall be used in accordance with the child's treatment plan, written policies and procedures governing service expectations, treatment goals, safety, security, and these rules and regulations.

(c) "Board" unless otherwise indicated, shall mean the Georgia Board of Human Resources.

(d) "Camper" means a child who has been admitted to the Therapeutic Camp for care.

(e) "Chemical restraint" means drugs that are administered to manage a child's behavior in a way that reduces the safety risk to the resident or others; that have the temporary effect of restricting the child's freedom of movement; and that are not being used as part of a standard regimen, as specified in the child's treatment plan, to treat current symptoms of a medical or psychiatric condition.

(f) "Child" means a person through 18 years of age.

(g) "Child-caring Institution" means a child welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care for children through 18 years of age outside of their own homes, subject to such exemptions as may be provided in rules and regulations of the Board.

(h) "Commissioner" means the Commissioner of the Georgia Department of Human Resources or his designee.

(i) "Crime" means any felony; a violation of O.C.G.A. Sec. 16-5-23, relating to simple battery; where the victim is a minor; a violation of O.C.G.A. Sec. 16-21-1, relating to contributing to the delinquency of a minor; a violation of O.C.G.A. Sec. 16-6-1 *et seq.*, relating to sexual offenses, excluding the offenses of bigamy or marrying a bigamist; a violation of O.C.G.A. Sec. 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

(j) "Criminal record" means:

1. Conviction of a crime; or
2. Arrest, charge, and sentencing for a crime where:

(i) A plea of nolo contendere was entered to the charge; or

(ii) First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however that this division shall not apply to a violation of O.C.G.A. Sec. 16-13-1 *et seq.*, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. Sec. 16-13-1 *et seq.* if such violation or offense constituted only simple possession; or

(iii) Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of O.C.G.A. Sec. 16-13-1 *et seq.* relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a

violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. Sec. 17-3-1 *et seq.*

(k) "Department" means the Department of Human Resources of the State of Georgia.

(l) "Emergency safety interventions" mean those behavioral intervention techniques that are authorized under an approved emergency safety intervention plan and are utilized by properly trained staff in an urgent situation to prevent a child from doing immediate harm to self or others.

(m) "Emergency safety intervention plan" means the plan developed by the therapeutic camp utilizing a nationally recognized, evidence-based, training program for emergency safety intervention, approved by the Department. The plan shall clearly identify the emergency safety interventions staff may utilize and those that may never be used.

(n) "Fingerprint records check determination" means a satisfactory or unsatisfactory determination by the department based upon a records check comparison of Georgia Crime Information Center (GCIC) information with fingerprints and other information in a records check application.

(o) "Governing Board" means the persons in which the ultimate legal responsibility, authority and accountability for the operation of the Therapeutic Camp is vested.

(p) "Manual hold" means the application of physical force, without the use of any device, for the purpose of restricting the free movement of a child's body. A manual hold does not include

briefly holding a child without undue force to calm or comfort the child, holding a child by the hand or by the shoulders or back to walk the child safely from one area to another where the child is not forcefully resisting the assistance, or assisting the child in voluntarily participating in activities of daily living.

(q) "Mechanical restraint" means a device attached or adjacent to the child's body that is not a prescribed and approved medical protection device and that he or she cannot easily remove that restricts freedom of movement or normal access to his or her body.

(r) "Permit" or "License" means a written authorization granted by the Department to an applicant for license to operate a Therapeutic Camp as a classification of a Child-caring Institution.

(s) "Placement Agency" means any person other than the parent of a child who is legally responsible for placement planning for the child.

(t) "Plan of Correction" means a written plan submitted to the Department by the person or persons responsible for the Therapeutic Camp. The Plan shall identify the existing areas of non-compliance of the Therapeutic Camp, together with the proposed procedures, methods and period of time required to correct the areas of noncompliance.

(u) "Preliminary records check application" means an application for a preliminary records check determination on forms provided by the department.*

(v) "Preliminary records check determination" means a satisfactory or unsatisfactory determination by the department based only upon a comparison of Georgia Crime Information Center (GCIC) information with other than fingerprint information regarding the person upon whom the records check is being performed.*

(w) "Provisional Permit" or "Provisional License" means written authorization granted by the Department to an applicant for license to admit children to the Therapeutic Camp on a conditional basis to allow a newly established Therapeutic Camp a reasonable, but limited period of time to demonstrate that operational procedures are in satisfactory compliance with these rules and regulations, or to allow an established and currently operating Therapeutic Camp a reasonable, but specified, length of time to comply with these rules and regulations, provided said Therapeutic Camp shall first present a Plan of Correction which is acceptable to the Department.

(x) "Records check application" means two sets of classifiable fingerprints, a records search fee to be established by the department by rule and regulation, payable in such form as the department may direct to cover the cost of a fingerprint records check, and an affidavit by the applicant disclosing the nature and date of any arrest, charge, or conviction of the applicant for the violation of any law; except for motor vehicle parking violations, whether or not the violation occurred in this state, and such additional information as the department may require.

(y) "Satisfactory criminal records check determination" means a written determination that a person for whom a records check was performed was found to have no criminal record.

(z) "Seclusion" means the involuntary confinement of a child away from other children, due to imminent risk of harm to self or others, in a room or an area from which the child is physically prevented from leaving.

(aa) "Therapeutic Camp" or "Camp" means a Child-caring Institution which provides a variety of outdoor activities taking place in a wilderness or camp environment that are designed to

improve the emotional and behavioral adjustment of the residents participating in the activities.

(bb) "Time-out" means a behavior management technique that involves the brief separation of a child from the group, not to exceed twenty (20) minutes, designed to de-escalate the child. During "time-out" a child's freedom of movement is not physically restricted.

(cc) "Unsatisfactory criminal records check determination" means a written determination that a person for whom a records check was performed has a criminal record.

(dd) "Variance" means written permission by the Department or Board to do some act contrary to the literal rule.

(ee) "Waiver" means the official written relinquishment of a rule in the course of issuance of a license.
Authority O.C.G.A. Chapter 49-5-3; Chapter 49-5-12.

290-2-7-.03 Organization and Administration. Amended.

(1) The legal basis for operation of a Therapeutic Camp shall be documented through copies of the Articles of Incorporation, partnership agreements, and documents reflecting the creation of an association or a resolution authorizing the operation of the program.

(2) All Therapeutic Camps shall have a Governing Body that is responsible for and has authority over the policies and activities of the Therapeutic Camp. If a Therapeutic Camp is owned by a partnership, the partners shall be regarded as the Governing Body for the purposes of this subsection. If a Therapeutic Camp is owned by a sole proprietor, the responsibilities imposed on a

Governing Body by this subsection shall be borne by that proprietor.

(a) Therapeutic Camps that are owned corporately shall provide the Department with a list of names, addresses, and titles of the officers and/or executive committee of the Governing Body. Therapeutic Camps that are owned jointly or individually shall provide the Department with a list of names and addresses of the partners or owner. The Department shall be notified of any changes.

(3) The Governing Body shall be responsible for:

(a) Employing an Administrator or Executive Director;

(b) Developing and complying with written policies and operating procedures concerning organizational structure, personnel practices, admissions, care and treatment, appropriate behavior management and emergency safety interventions, and discharge of campers in accordance with these rules and regulations;

(c) Ensuring adequate financing;

(d) Ensuring compliance with minimum requirements;

(e) Periodically reviewing the program of care and treatment;

(f) Approving an annual budget; and

(g) Providing bonding for Board officers and staff who handle substantial operating or capital funds of the Therapeutic Camp.

(4) The Governing Body shall visit the Therapeutic Camp site at least twice a year to observe the operation of the program and the

activities of the campers. This shall be documented in the minutes of the meetings of the Governing Body.

(5) The Therapeutic Camp shall operate in accordance with its written policies and procedures. Copies of policies and procedures shall be made available to facility staff.

(6) The Governing Body shall be responsible for obtaining a satisfactory determination on a criminal records check for the Director and all staff whose duties involve personal contact with the campers.

(7) The Therapeutic Camp shall maintain complete financial records. Books shall be audited annually by an independent certified public accountant. A copy of the accountant's statement of income and disbursements and the opinion letter from the audit report shall be submitted annually to the Department.

(8) A new Therapeutic Camp shall have funds sufficient for the first year of operation. It shall have reserve funds or documentation of available credit, equal to the operating costs for the first three months.

Authority O.C.G.A. Chapter 49-5-12; Chapter 49-5-60.

290-2-7-.04 Personnel. Amended.

(1) In accordance with these rules and regulations, the Therapeutic Camp shall employ and provide training and supervision for an adequate number of staff necessary to ensure the health and safety of the campers in its care.

(2) Therapeutic Camps shall have written job descriptions which specify what duties employees are expected to perform. A copy of the job descriptions shall be available to employees and to the Department.

(3) The Administrator or Executive Director shall have a masters degree from an accredited college or university and a minimum of three years of increasingly responsible experience in the human service, mental health or health care field, or a Bachelors Degree plus five years experience in the field of child care, human services, mental health, at least two of which includes supervisory and/or administrative responsibility.

(4) The Administrator shall be responsible for implementing the policies adopted by the Governing Body, the on-going operation of the Therapeutic Camp, and compliance with the "Rules and Regulations for Therapeutic Camps."

(5) The Administrator or his/her designee (qualified under subparts (3), (7), or (9) hereof) shall be present and responsible for the operation of the camp at all times. Staff on duty shall be made aware of the designated person.

(6) There shall be an effective written plan for staff supervision of the therapeutic groups. The plan shall include the line of supervision, support staff, their location and accessibility.

(7) The staff member with primary responsibility for planning, developing, implementing treatment services, supervising staff who deliver the treatment and ancillary services, and developing in-service training shall have a master's degree in psychology, social work, education or other related fields and experience and/or training in working with children in an outdoor therapeutic environment.

(8) Each Therapeutic Camp shall have a social service worker on staff.

(9) The social service worker shall have at least a Bachelor's Degree from an accredited college or university. Social service

workers with less than formal graduate training in social work shall have a minimum of an average of two hours per week supervision/consultation from a professionally trained (MSW) social worker or person with equivalent professional training.

(10) Each Therapeutic Camp shall employ or contract with an adequate number of qualified and trained staff who provide professional services, e.g., physicians, dentists, psychiatrists, psychologists, teachers, nurses, recreational therapists and other specialists as those services may be appropriate or needed to provide the treatment program. All specialists used by the Camp shall be qualified and/or licensed in their respective professional fields.

(11) The Therapeutic Camp shall have staff coverage throughout the 24-hour period.

(a) The Therapeutic Camp shall have sufficient numbers of qualified and trained staff to provide for the needs, care, protection and supervision of children pursuant to Rule .04(1). There shall be a minimum of one child care staff for every 8-10 campers, or fraction thereof, however, the Camp shall staff in excess of this minimum ratio when the specific health and safety needs of the children in care require additional staffing.

(b) Supervisory staff shall be accessible to campers and to child care staff 24 hours per day.

(c) If volunteers are used as a supplement to child care staff, they shall meet the same requirements as the regular child care staff.

(d) Teachers who supervise campers' activities may be counted in the staff-camper ratio during the time they are responsible for a group.

(12) Child care staff or supervisory staff shall be available at all times so that no group will be without supervision by the required staff-camper ratio.

(13) Tasks which conflict or interfere with their child care responsibilities shall not be assigned to child care staff. Job descriptions and staff assignments shall show no conflicts in assignments to child care staff.

(14) The personal qualifications of employees shall be verified including a satisfactory criminal records check completed in accordance with O.C.G.A. Sec. 49-5-60. et seq. and a ten-year employment history.

(a) At least three references shall be obtained for each potential prior employee to employment. Information obtained from the references shall be written and filed whether the interview is conducted in person or by telephone.

(b) Each employee shall submit an oral or written statement to the facility at the time of application that they have never been shown by credible evidence (such as a decision of a court or jury, or a department investigation or other reliable evidence) to have abused, neglected, sexually exploited, or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly serious injury as a result of intentional or grossly negligent misconduct.

(15) Child care staff shall be at least four years older than the oldest child in their group, have a high school education or an equivalency and experience in working with children in a group setting. Former campers employed as staff shall be at least 21 years of age.

(16) In addition to the initial orientation, including training on the facility's policies and procedures pertaining to behavior

management techniques and emergency safety interventions, all staff working with campers shall receive annually at least 40 hours of in-service training related to children's treatment services in a primitive environment. In-service training for staff working with campers shall be documented. This shall include the date, the subject, and name of the person who conducted the training.

(17) Training in first aid and C.P.R. shall be required within 90 days of employment for all child care staff who are not licensed/certified health professionals.

(a) Training shall be certified by a Red Cross instructor or a licensed/certified health professional.

(b) First aid training shall be updated at least every three years. Certificates or statements of training shall document that training has been updated.

(18) All child care staff shall have training by certified staff in water safety and lifesaving techniques.

(19) A specialist trained in the particular activity shall supervise the participation of the campers in high risk activities such as rock climbing, canoeing, caving, etc.

(20) Personnel records shall be maintained for each employee of the Therapeutic Camp. These records shall contain as a minimum the following information:

(a) Identifying information;

(b) Qualifications for the position;

(c) Date, name of contact, and information received from pre-employment references;

- (d) Date of employment;
 - (e) Verification of training, including dates of all such training;
 - (f) Annual reports of performance, including all records of employee discipline arising from the inappropriate use of behavior management techniques and emergency safety interventions;
 - (g) Criminal records check determination;
 - (h) Date and reason for separation; and
 - (i) Forwarding address of separated employees.
- Authority O.C.G.A. Chapter 49-5-12.

290-2-7-.05 Admission and Intake Policies. Amended.

(1) The Therapeutic Camp shall admit only those campers for whom it has a treatment program designed to meet the particular needs of the camper and who meet the admission policies.

(a) The Therapeutic Camp shall have written admission policies which specify the age, sex, and types of needs of campers for which the camp is qualified by staff, program and equipment to meet.

(b) The Therapeutic Camp shall apply to the Department for a new license prior to a change in the admission policies which would require a change in the conditions of the license.

(2) A Therapeutic Camp shall not accept more campers than is specified on the license, or campers whose age and sex are inconsistent with the conditions of the license.

(3) Children under 8 years of age shall not be accepted for care in a Therapeutic Camp.

(4) The Therapeutic Camp shall not admit a camper who has not had a medical examination by a licensed physician within 30 days prior to admission. The report of the examination shall include an explanation of any known problem or potential problem, the prescribed treatment and any recommendations for future care and examinations and a statement to the effect that the conditions are not incompatible with the rigors of the Therapeutic Camp environment. The prescribed treatment and recommendations for future care shall be incorporated into the camper's treatment plan.

(5) Campers shall have had a dental examination by a licensed dentist within the six months prior to admission. Treatment shall be provided as recommended by the examining dentist.

(6) The Therapeutic Camp shall not accept a Camper for care until a psychological or psychiatric evaluation and an intake study has been made and based on an analysis and recommendation of the social service worker with approval of the Administrator has determined that the placement meets the needs and best interests of the camper.

(7) The intake study shall be prepared by the social service worker and shall be maintained in the Camper's record. The study shall include at least the following information:

(a) Current (within 1 year) evaluation by a licensed psychiatrist or psychologist;

(b) A description of family relationships and the circumstances that make the placement necessary;

(c) The Camper's developmental history;

- (d) The parents' or placement agency's expectation of placement;
 - (e) The Camper's understanding of placement;
 - (f) A description of the Camper's personality, behavior, and interests;
 - (g) The Camper's school history;
 - (h) History of previous placements;
 - (i) A statement about the Camper's legal status;
 - (j) A statement of the Camper's needs;
 - (k) The immediate and long-range goals of placement;
 - (l) The name of the family member or the placement agency who will be responsible for the relationship with the Therapeutic Camp and the Camper;
 - (m) Medical/dental history;
 - (n) Religious preference; and
 - (o) List of friends or others that may be permitted to visit with the Camper if approved by the Camp;
- (8) The intake process shall include a discussion about placement with the Camper and his or her parents or Placement Agency. It shall include a visit to the Camp.
- (9) At the time of placement a written agreement shall be made between the Therapeutic Camp, the Camper and the Camper's parents or Placement Agency. A copy of this agreement shall be in the Camper's record. The agreement shall as a minimum include:

- (a) Authorization to care for the Camper;
 - (b) A medical consent form signed by a person authorized to give consent;
 - (c) Consent for Camper to participate in trips or special activities;
 - (d) General goals and expectations for the Camper's treatment;
 - (e) Written financial agreement including responsibility for medical, dental, clothing and other special needs; and
 - (f) Provision for notification of parents or Placement Agency in the event of unauthorized absences, medical or dental problems and any other significant event regarding the child, including the use of emergency safety interventions.
- (10) Before admission, or at the time of admission, the Therapeutic Camp shall provide written material to the Camper's parents or Placement Agency which specifies:
- (a) Rules regarding visits, mail, gifts, and telephone calls;
 - (b) Information on the nature and frequency of reports to the Camper's parents or the Placement Agency;
 - (c) The Camp's policy concerning behavior management, including the use of peer control and emergency safety interventions;
 - (d) The Camp's policy or program concerning religious training;

(e) The name of the person or office that parents or the placement agency can contact if they feel their child's rights have been violated;

(f) Information regarding trips or special activities; and

(g) If the Therapeutic Camp has a school program, information concerning its accreditation, approval or lack thereof.

(11) The Therapeutic Camp shall provide orientation for new campers.

(12) The Therapeutic Camp shall comply with the Interstate Compact on the Placement of Children, O.C.G.A. Chapter 39-4, when admitting children from another state.
Authority O.C.G.A. Chapter 49-5-12.

290-2-7-.08 Campers' Rights and Privileges.

(1) The staff of the Therapeutic Camp shall allow privacy as needs indicate for each Camper.

(2) Campers shall have access to a quiet, private area where they can withdraw from the group when appropriate.

(3) Termination of contacts between the Camper and his or her family shall not be allowed while the Camper is in care unless the rights of the parents have been terminated by court order or it has been determined by the Placement Agency that family contact is not in the Camper's best interest. The frequency and nature of contact shall be based on the needs of the Camper, and shall be determined with the participation of the Camper, his or her family or Placement Agency and Therapeutic Camp staff. Any limitations shall be filed in the Camper's case record. Restriction of a contact shall be based on a determination by the therapeutic team that due

to the nature of the circumstances at that time that particular contact is not in the best interest of the Camper. Reasons for the restrictions shall be shared with the Camper and the family and documented in the Camper's record.

(4) The Therapeutic Camp shall have clearly written policies regarding visits, gifts, mail, and telephone calls between the Camper and his or her family or Placement Agency.

(5) A Camper shall be allowed to bring personal possessions to the Therapeutic Camp and to acquire possessions. Limits put on the kind of possessions a Camper may or may not bring or receive shall be applied equally to all Campers, shall be discussed with the Camper and his or her parents or Placement Agency and shall be documented in the Camper's record.

(6) The Therapeutic Camp shall not place a Camper in a position of having to acknowledge his or her dependency, destitution, or neglect. The Therapeutic Camp shall not require the Camper to make public statements about his or her background or dependence on the Camp, to publicly acknowledge gratitude to the Camp or to perform at public gatherings.

(7) Pictures, reports, or identification that humiliate, exploit, or invade the privacy of a Camper or his or her family or Placement Agency shall not be made public. The Therapeutic Camp shall not use reports or pictures from which Campers can be identified without written consent from the Camper and the parents or Placement Agency.

(8) The opinions and recommendations of the Campers shall be considered in the development and evaluation of the camping program and activities.

(9) The Therapeutic Camp shall have clearly written policies for the behavior management of Campers. Copies shall be available to staff and campers.

(10) Discipline shall be consistent with the policies of the Therapeutic Camp and shall not be physically or emotionally damaging.

(11) Staff members shall be responsible for all behavior management of Campers. Peer control techniques shall be closely supervised by staff and shall only be used when both staff and Campers understand the techniques and they are part of an approved therapeutic treatment program.

Authority O.C.G.A. Chapter 49-5-12.

290-2-7-.09 Behavior Management and Emergency Safety Interventions.

(1) Behavior Management.

(a) The therapeutic camp shall develop and implement policies and procedures on behavior management. Such policies and procedures shall set forth the types of children served in accordance with its program purpose, the anticipated behavioral problems of the children, and acceptable methods of managing such problems.

(b) Such Behavior management policies and procedures shall incorporate the following minimum requirements:

1. Behavior management principles and techniques shall be used in accordance with the individual service plan and written policies and procedures governing service expectations, treatment goals, safety, security, and these rules and regulations.

2. Behavior management shall be limited to the least restrictive appropriate method, as described in the camper's service plan and in accordance with the prohibitions as specified in these rules and regulations.

(c) The following forms of behavior management shall not be used:

1. Assignment of excessive or unreasonable work tasks that are not related to the camper's misbehavior;

2. Denial of meals and hydration;

3. Denial of sleep;

4. Denial of shelter, clothing, or essential personal needs;

5. Denial of essential program services;

6. Verbal abuse, ridicule, or humiliation;

7. Manual holds, chemical restraints, or mechanical restraints not used appropriately as emergency safety interventions;

8. Denial of communication and visits unless restricted in accordance with Rule .08(3);

9. Corporal punishment; and

10. Seclusion not used appropriately as an emergency safety intervention.

(d) Campers shall not be permitted to participate in the behavior management of other campers or to discipline other campers, except as part of an organized therapeutic self-governing program in accordance with accepted standards of clinical practice that is

conducted in accordance with written policy and is supervised directly by designated staff.

(e) Therapeutic camps shall submit to the Department electronically or by facsimile a report within 24 hours whenever an unusual incident occurs regarding behavior management, including any injury requiring medical treatment beyond first aid that is received by a camper as a result of any behavior management.

(f) All forms of behavior management used by direct care staff shall also be documented in case records in order to ensure that such records reflect behavior management problems.

(2) Emergency Safety Interventions.

(a) Emergency safety interventions may be used only by staff trained in the proper use of such interventions when a camper exhibits a dangerous behavior reasonably expected to lead to immediate physical harm to the camper or others and less restrictive means of dealing with the injurious behavior have not proven successful or may subject the camper or others to greater risk of injury.

(b) Emergency safety interventions shall not include the use of any restraint or manual hold that would potentially impair the camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a documented medical or psychological condition.

(c) The institution shall have written policies and procedures for the use of emergency safety interventions, a copy of which shall be provided to and discussed with each camper and the camper's parents and/or legal guardians prior to or at the time of admission. Emergency safety interventions policies and procedures shall include:

1. Provisions for the documentation of an assessment at admission and at each annual exam by the camper's physician, a physician's assistant, or a registered nurse with advanced training working under the direction of a physician, or a public health department that states there are no medical issues that would be incompatible with the appropriate use of emergency safety interventions on that camper. Such assessment and documentation must be re-evaluated following any significant change in the camper's medical condition; and

2. Provisions for the documentation of each use of an emergency safety intervention including:

- (i) Date and a description of the precipitating incident;
- (ii) Description of the de-escalation techniques used prior to the emergency safety intervention, if applicable;
- (iii) Environmental considerations;
- (iv) Names of staff participating in the emergency safety intervention;
- (v) Any witnesses to the precipitating incident and subsequent intervention;
- (vi) Exact emergency safety intervention used;
- (vii) Documentation of the 15 minute interval visual monitoring of a child in seclusion;
- (viii) Beginning and ending time of the intervention;
- (ix) Outcome of the intervention;

(x) Detailed description of any injury arising from the incident or intervention; and

(xi) Summary of any medical care provided.

3. Provisions for prohibiting manual hold use by any employee not trained in prevention and use of emergency safety interventions.

(d) Emergency safety interventions may be used to prevent runaways only when the camper presents an imminent threat of physical harm to self or others, or as specified in the individual treatment plan.

(e) Facility staff shall be aware of each camper's medical and psychological conditions, as evidenced by written acknowledgement of such awareness, to ensure that the emergency safety intervention that is utilized does not pose any undue danger to the physical or mental health of the camper.

(f) Campers shall not be allowed to participate in the emergency safety intervention of another camper.

(g) Immediately following the conclusion of the emergency safety intervention and hourly thereafter for a period of at least four hours where the camper is with a staff member, the camper's behavior will be assessed, monitored, and documented to ensure that the camper does not appear to be exhibiting symptoms that would be associated with an injury. Authority O.C.G.A. §§ 49-5-8 and 49-5-12.

(h) At a minimum, the emergency safety intervention program that is utilized shall include the following:

1. Techniques for de-escalating problem behavior including camper and staff debriefings;

2. Appropriate use of emergency safety interventions;
3. Recognizing aggressive behavior that may be related to a medical condition;
4. Awareness of physiological impact of a restraint on the camper;
5. Recognizing signs and symptoms of positional and compression asphyxia and restraint associated cardiac arrest;
6. Instructions as to how to monitor the breathing, verbal responsiveness, and motor control of a camper who is the subject of an emergency safety intervention;
7. Appropriate self-protection techniques;
8. Policies and procedures relating to using manual holds, including the prohibition of any technique that would potentially impair a camper's ability to breathe;
9. Camp policies and reporting requirements;
10. Alternatives to restraint;
11. Avoiding power struggles;
12. Escape and evasion techniques;
13. Time limits for the use of restraint and seclusion;
14. Process for obtaining approval for continual restraints and seclusion;
15. Procedures to address problematic restraints;

16. Documentation;

17. Investigation of injuries and complaints;

18. Monitoring physical signs of distress and obtaining medical assistance; and

19. Legal issues.

(i) Emergency safety intervention training shall be in addition to the annual training required in Rule .04(16) and shall be documented in the staff member's personnel record.

(j) All actions taken that involve utilizing an emergency safety intervention shall be recorded in the camper's case record showing the cause for the emergency safety intervention, the emergency safety intervention used, and, if needed, approval by the director, the staff member in charge of casework services, and the physician who has responsibility for the diagnosis and treatment of the camper's behavior.

(k) Therapeutic camps shall submit to the Department electronically or by facsimile a report in a format acceptable to the Department within 24 hours whenever an unusual incident occurs regarding emergency safety interventions, including:

1. Any injury requiring medical treatment beyond first aid that is received by a camper as a result of any emergency safety intervention;

2. For any therapeutic camp with a licensed capacity of 20 residents or more, any 30-day period in which three or more instances of emergency safety interventions of a specific camper occurred and/or whenever the therapeutic camp has had a total of

10 emergency safety interventions for all campers in care within the 30-day period; and

3. For any therapeutic camp with a licensed capacity of less than 20 residents, any 30-day period in which three or more instances of emergency safety interventions of a specific camp occurred and/or whenever the therapeutic camp has had a total of five instances for all campers in care within the 30-day period.

(l) Therapeutic camps shall submit a written report to the program's director on the use of any emergency safety intervention immediately after the conclusion of the intervention and shall further notify the camper's parents or legal guardians regarding the use of the intervention. A copy of such report shall be maintained in the camper's file.

(m) At least once per quarter, the institution, utilizing a master agency restraint log and the camper's case record, shall review the use of all emergency safety interventions for each camper and staff member, including the type of intervention used and the length of time of each use, to determine whether there was a clinical basis for the intervention, whether the use of the emergency safety intervention was warranted, whether any alternatives were considered or employed, the effectiveness of the intervention or alternative, and the need for additional training. Written documentation of all such reviews shall be maintained. Where the therapeutic camp identifies opportunities for improvement as a result of such reviews or otherwise, the therapeutic camp shall implement these changes through an effective quality improvement plan.

(n) No later than January 1, 2007 and ongoing thereafter, all direct care staff who may be involved in the use of emergency safety interventions, shall have evidence of having satisfactorily completed a nationally recognized training program for emergency safety interventions to protect residents and others from injury,

which has been approved by the Department and taught by an appropriately certified trainer in such program.

(o) Manual Holds.

1. Emergency safety interventions utilizing manual holds require at least one trained staff member to carry out the hold. Emergency safety interventions utilizing prone restraints require at least two trained staff members to carry out the hold.

2. Emergency safety interventions shall not include the use of any restraint or manual hold that would potentially impair the camper's ability to breathe or has been determined to be inappropriate for use on a particular camper due to a documented medical or psychological condition.

3. When a manual hold is used upon any camper whose primary mode of communication is sign language, the camper shall be permitted to have his or her hands free from restraint for brief periods during the intervention, except when such freedom may result in physical harm to the camper or others.

4. If the use of a manual hold exceeds 15 consecutive minutes, the facility director or his or her designee, who possesses at least the qualifications of the director and has been fully trained in the facility's emergency safety intervention plan, shall be contacted by a two-way communications device or in person and determine that the continuation of the manual hold is appropriate under the circumstances. Documentation of any consultations and outcomes shall be maintained for each application of a manual hold that exceeds 15 minutes. Manual holds shall not be permitted to continue if the restraint is determined to pose an undue risk to the camper's health given the camper's physical or mental condition.

5. A manual hold may not continue for more than 30 minutes at any one time without the consultation as specified in subparagraph

(2) of this subparagraph, and under no circumstances may a manual hold be used for more than one hour total within a 24-hour period.

6. If the use of a manual hold on a camper reaches a total of one hour within a 24-hour period, the staff shall reconsider alternative treatment strategies, document same, and consider notifying the authorities or transporting the camper to a hospital or mental health facility for evaluation.

7. The camper's breathing, verbal responsiveness, and motor control shall be continuously monitored during any manual hold. Written summaries of the monitoring by a trained staff member not currently directly involved in the manual hold shall be recorded every 15 minutes during the duration of the restraint. If only one trained staff member is involved in the restraint and no other staff member is available, written summaries of the monitoring of the manual hold shall be recorded as soon as is practicable, but no later than one hour after the conclusion of the restraint.

(p) Seclusion.

1. If used, seclusion procedures in excess of thirty (30) minutes must be approved by the director or designee. No child shall be placed in a seclusion room or area in excess of one (1) hour within any twenty-four (24) hour period without obtaining authorization for continuing such seclusion from the child's physician, psychiatrist, or licensed psychologist and documenting such authorization in the child's record.

2. A seclusion room or area shall only be used if a camper is in danger of harming himself or herself or others.

3. A camper placed in a seclusion room or area shall be visually monitored at least every 15 minutes.

4. A room or area used for the purposes of seclusion must meet the following criteria:

(i) The room or area shall be constructed and used in such ways that the risk of harm to the camper is minimized;

(ii) The room or area shall be equipped with a viewing window on the door so that staff can monitor the child;

(iii) The room or area shall be lighted and well-ventilated;

(iv) The room or area shall be a minimum fifty (50) square feet in area; and

(v) The room or area must be free of any item that may be used by the camper to cause physical harm to himself/herself or others.

5. No more than one camper shall be placed in the seclusion room or area at a time.

6. A seclusion room or area monitoring log shall be maintained and used to record the following information:

(i) Name of the secluded camper;

(ii) Reason for camper's seclusion;

(iii) Time of camper's placement in the seclusion room or area;

(iv) Name and signature of the staff member that conducted visual monitoring; and

(v) Time of the camper's removal from the seclusion room or area.

290-2-7-.10 Medical and Dental Care.

(1) The Therapeutic Camp shall have written policies and procedures for obtaining diagnosis and treatment of medical and dental problems and a written agreement with physicians, dentists and other health care providers for medical emergencies and for routine medical care.

(a) The Therapeutic Camp shall instruct all staff members in the policies and procedures to be followed in an emergency.

(2) All Campers shall be examined annually by a licensed physician.

(3) Facilities for medical isolation shall be available on the premises of the Therapeutic Camp or at a facility recommended by a physician. No person with a contagious disease shall remain in the therapeutic group during the contagious period.

(4) All Campers shall have a dental examination by a licensed dentist or a dental hygienist working under the supervision of a licensed dentist at least once a year.

(5) The Therapeutic Camp shall comply with laws, rules, and regulations regarding immunization.

(6) The Therapeutic Camp shall comply with laws, rules, and regulations for acquiring, storing, and administering medication.

(a) Medicines shall be contained in a locked cabinet or metal box at the Therapeutic Camp.

(b) The medicine cabinet or box shall have a separate compartment for storing poisons and drugs for external use only.

(7) First aid supplies shall be available and administered by a trained staff member.

(8) Persons administering medication shall have received appropriate training from a licensed/certified health professional. Documentation of training shall be filed in the individual's personnel record. Medication records shall include the medication given, the time, the dosage, and the name of the person administering the medication.

(9) Policies and procedures for dealing with medical emergencies such as bee stings, multiple insect bites, snake bites, hypothermia, etc. shall be developed. Staff shall be instructed as to their individual responsibilities and action to be taken.

(10) Staff shall check each camper on a daily basis for signs of illness, fever, rashes, bruises and injuries.

290-2-7-.11 Education.

(1) The Therapeutic Camp shall ensure that each child attends an appropriate educational program (regular, special education or vocational education) designed to meet his/her educational need.

(2) Prior to or upon admission an Individual Education Plan shall be developed by the Camp staff, Camper, parent or Placement Agency and a certified teacher. The I.E.P. shall be incorporated in the Camper's individual treatment Plan.

(3) The I.E.P. shall conform with the State Standards and shall be updated annually.

(4) Certified teachers shall be used for on-site schools.

290-2-7-.12 Campers' Records.

(1) Each Camp shall maintain a permanent register with identifying information of all children accepted for service. In addition to other required documentation, each Camper's record shall include:

- (a) Name.
- (b) Date of birth.
- (c) Sex.
- (d) Religion.
- (e) Race.
- (f) Names, addresses and phone numbers of parents, brothers, and sisters.
- (g) Names, addresses and phone numbers of other persons who have a significant relationship with the child.
- (h) Name, address and phone number of an emergency contact.
- (i) Date of admission.
- (j) Birth Certificate or other document which establishes identity, if required for enrollment in public school.
- (k) A copy of the intake study.
- (l) Placement Agreement.
- (m) Treatment plan.

(n) Documentation of case reviews and updates of treatment plan.

(o) Health records of immunizations, examinations, treatments recommended and received.

(p) Reports of significant events occurring during time Camper was receiving care.

(q) Discharge data including date and to whom discharged.

(2) The Camp shall ensure that case records are kept confidential and inaccessible to unauthorized persons, safe from fire, damage or theft.

290-2-7-.13 Discharge.

(1) The following persons shall be involved in planning the discharge of a Camper from the Therapeutic Camp:

(a) The Camper,

(b) The Camper's parents or Placement Agency,

(c) Therapeutic Camp staff.

(2) The name, address, and relationship of the person to whom the Camper is discharged shall be recorded.

(3) If, in the event of an emergency discharge, the Therapeutic Camp is unable to plan for the discharge with the persons listed in these rules, the Therapeutic Camp shall document circumstances surrounding the emergency discharge in the camper's record. Parents and Placement Agencies shall be advised of the policies related to emergency discharge prior to admission of a Camper.

(4) The Therapeutic Camp shall not discharge a Camper to any one other than the parent or Placement Agency or an order from a court of competent jurisdiction.

290-2-7-.14 Buildings, Grounds, and Equipment.

(1) Camps shall have access to a minimum of 10 acres per Camper for the first 50 Campers with an additional 5 acres per Camper for each additional Camper. Housing sites shall be located so as to provide visual separation of the Therapeutic groups.

(2) Housing sites shall not be subject to or in proximity to conditions that create or are likely to create offensive odors, flies, noise, traffic or any similar hazards.

(3) All camp sites shall be well drained and free from depressions in which water may stand. Natural sinkholes, pools, swamps or other surface collectors of water within 200 feet of the periphery of the camp shall be either drained or filled to remove the still surface water. Mosquito breeding shall be prevented in such areas containing water not subject to such drainage or filling.

(4) Grounds within the housing site shall be free from debris, noxious plants (poison ivy, etc.) and uncontrolled weeds or brush.

(5) The housing site shall provide a space for recreation reasonably related to the size of the program and the type of occupancy.

(6) Water shall be supplied from an approved public supply if available, if not available, the private system shall comply with Rules and Regulations for Water Supply Quality Control of the Georgia Department of Natural Resources.

(7) The use of a common drinking cup shall not be permitted.

(8) No tile or concrete sanitary sewers or septic tanks shall be allowed within a distance of fifty (50) feet, and no cesspool or septic tank open-jointed drainfields shall be allowed within a distance of one-hundred fifty (150) feet of the private water supply.

(9) Adequate and safe sewerage facilities with flush toilets shall be provided if water supply is available. Public sewers, subsurface septic tank-seepage system or other type of liquid waste treatment and disposal system shall be provided. Raw or treated liquid waste shall not be discharged or allowed to accumulate on the ground surface.

(10) Where water supply is not available, sanitary type privies or portable toilets shall be provided. All such facilities shall be constructed as required by the Department. Privies, if provided, shall be maintained so as to prevent access of flies and animals to the contents therein, to prevent fly breeding and to prevent contamination of water supply.

(11) All facilities provided for excreta and liquid waste disposal shall be maintained and operated in a sanitary manner to eliminate possible health or pollution hazards.

(12) Water closets or privy seats for each sex shall be in the ratio of not less than one such unit for each fifteen (15) occupants, with a minimum of one (1) unit for each sex in common use facilities.

(13) Separate toilet accommodations for males and females shall be provided in common use areas. Toilets shall be distinctly marked "Male" and "Female".

(14) Housing shall be structurally sound, in good repair, maintained in a sanitary condition and shall provide protection to the occupants against the elements.

(15) Housing shall have flooring constructed of rigid materials, smooth finished, readily cleanable and so located as to prevent the entrance of ground and surface water.

(16) A balcony, upper story, attic or loft shall not be used for sleeping or group assembly.

(17) All outside openings in kitchen and dining rooms shall be protected with screening of 16 mesh or less.

(18) All screen doors shall be tight, in good repair and equipped with self-closing devices.

(19) All living quarters and service rooms shall be provided with properly installed, operable heating equipment capable of maintaining a temperature of at least 50° Fahrenheit if during the period of normal occupancy the temperature in such quarters falls below 50° Fahrenheit.

(20) Any stoves or other sources of heat utilizing combustible fuel shall be installed and vented in such a manner as to prevent fire hazards and a dangerous concentration of gases. No portable heaters other than those operated by electricity shall be provided in sleeping areas. If a solid or liquid fuel stove is used in a room with wooden or other combustible flooring, there shall be a concrete slab, insulated metal sheet or other fire-proof materials on the floor under each stove, extending at least eighteen (18) inches beyond the perimeter of the base of the stove.

(21) Any wall or ceiling within eighteen (18) inches of a solid or liquid fuel stove or a

stovepipe shall be of fireproof material. A vented metal collar shall be installed around a stovepipe or vent passing through a wall, ceiling, floor or roof. Such vent or chimney shall extend above the peak of the roof.

(22) When a heating system has automatic controls, the controls shall be of the type which cut off the fuel supply upon the failure or interruption of the flame or ignition, or whenever a predetermined safe temperature or pressure is exceeded. All steam and hot water systems shall be provided with safety devices arranged to prevent hazardous pressures and excessive temperatures.

(23) All heating equipment shall be maintained and operated in a safe manner to eliminate possibilities of fire.

(24) Electrical wiring and lighting fixtures shall be installed and maintained in a safe condition.

(25) Bathing and handwashing facilities, supplied with hot and cold water shall be provided for the use of all occupants. These facilities shall be clean and sanitary and maintained in good repair.

(26) There shall be a minimum of one (1) showerhead per fifteen (15) persons. Showerheads shall be spaced at least three (3) feet apart, with a minimum of nine (9) square feet of floor space per unit. Adequate dry dressing space shall be provided in common use facilities. Shower floors shall be constructed of non-absorbent, properly constructed floor drains. Separate shower facilities shall be provided for each sex. When common use shower facilities for both sexes are in the same building, they shall be separated by a solid nonabsorbent wall extending from the floor to ceiling or roof, and shall be plainly designated "Male" or "Female".

(27) If laundry service is not otherwise provided, laundry facilities supplied with hot and

cold water under pressure shall be provided for the use of all occupants.

(28) Bedding provided by the Therapeutic Camp shall be clean and sanitary. All bedding shall be laundered or otherwise sanitized between assignment to different campers.

(29) Linens shall be changed as often as required for cleanliness and sanitation, but not less frequently than once a week.

(30) Bedwetters shall have their linens changed as often as they are wet.

(31) Adequate personal storage area shall be available for each child to separate his or her clothing from other children's personal belongings.

(32) Boys and girls shall not share the same sleeping unit.

(33) A separate bed, bunk or cot shall be available for each person. Tripledeck beds are prohibited. Beds shall be spaced in a manner which will provide a walk space on at least one side and at least one end of each bed.

(34) Food service facilities and program shall meet Chapter 290-5-14 Rules and Regulations for Food Service, Georgia Department of Human Resources.

(35) Poisonous and toxic materials shall be properly identified, stored separately from food and properly used. Poisonous polishes shall not be used on eating and cooking utensils.

(36) Persons with wounds or communicable diseases shall be prohibited from handling food.

(37) Food handlers shall practice good hygienic practices.

(38) Floors, walls and ceilings shall be kept clean and in good repair.

(39) Adequate lighting shall be provided and shall be properly protected from breakage.

(40) The kitchen area and cooking equipment shall be properly vented.

(41) Pets shall not be allowed in the food storage, preparation or dining area.

(42) Durable, clean containers of adequate size and tight fitting lids shall be conveniently located to each housing unit for storage of garbage and other refuse.

(43) Provisions shall be made for collection of refuse at least once a week, or more often if necessary. The disposal of refuse, which includes garbage, shall be in accordance with requirements of Chapter 290-5-14 Rules and Regulations for Food Service, Georgia Department of Human Resources.

(44) Storage facilities and areas shall be maintained in a sanitary condition.

(45) A vector control program shall be maintained to insure effective control of all insects and rodents in buildings and on the premises.

(46) If chemical control is needed to supplement good sanitation practices, proper pesticides shall be used in strict accordance with label instructions.

(47) Swimming pools shall be constructed in accordance with Department design standards and all pools shall be maintained and

operated as required by local regulations and standards of the Department. Other swimming areas (lake, creeks, etc.) shall be kept clean of hazardous trash and debris.

(48) Documentation of current and approved fire, health, and safety inspections shall be kept on file at the Therapeutic Camp. Copies of the inspection reports shall be submitted to the Department when the signed application for licensure is submitted and annually thereafter.

(49) Fire drills shall be held at least 8 times a year. Written records of the drills shall be maintained.

(50) There shall be a disaster preparedness plan for staff and residents to follow for meeting disasters and emergencies such as fires or severe weather. The plan shall include procedures and action to be taken in case of adverse weather conditions such as extremely low temperatures, storms, tornadoes, etc. All staff members shall know the procedures and action to be taken for meeting disasters and emergencies.

(51) Horses and other animals maintained in any camp shall be quartered at a reasonable distance from any sleeping, living, eating or food preparation area.

(a) Stables and corrals shall be located as to prevent contamination of any water supply. Manure shall be removed from stalls and corrals as often as necessary to control flies.

(b) Horses, dogs or other domestic animals or pets shall not be permitted on a bathing beach or in water in the area used for waterfront activities.

(52) All dogs, cats and other warm-blooded pets owned or under the supervision of an occupant of any Camp shall be currently vaccinated against rabies in compliance with the law.

(a) Written records shall be kept on the type of vaccinations and the date of vaccinations.

(b) The premises shall be kept free of stray animals.

(53) Primitive campsites shall be maintained and operated in a safe and healthful manner.

(a) Drinking water used at primitive camps and on hikes and trips away from permanent campsites shall be from a source known to be safe (free of coliform organisms) or shall be rendered safe before used in a manner approved by the Department of Human Resources.

(b) Primitive campsites which are not provided with approved toilet facilities shall have a separate toilet area designated for each sex at a minimum ratio of one (1) toilet seat per 15 persons. Slit trenches or cat holes with a readily available supply of clean earth backfill or other disposal methods approved in writing by the Department of Health shall be utilized for the disposal of human excreta in these areas. Toilet areas shall be located at least one hundred and fifty (150) feet from a stream, lake or well and at least seventy-five (75) feet from a campsite, tent or other sleeping or housing facility.

(c) Solid wastes which are generated in primitive camps should be disposed of at an approved sanitary landfill or similar disposal facility. Where such facilities are not available, solid wastes shall be disposed of daily by burial under at least two (2) feet of compacted earth cover in a location which is not subject to inundation by flooding. Burying is not recommended.

(d) Hot water and detergent shall be used to wash all food utensils after each meal at primitive campsites. Where group dishwashing is practiced, all utensils shall be immersed for at least

two (2) minutes in a lukewarm chlorine bath containing at least 50 ppm of available chlorine at all times. Where chlorine is used, a three compartment vat or three containers are required for washing, rinsing and immersion.

(e) No dish, receptacle or utensil used in handling food for human consumption shall be used or kept for use if chipped, cracked, broken, damaged or constructed in such a manner as to prevent proper cleaning sanitizing.

(f) Disposable or single use dishes, receptacles or utensils used in handling food shall be discarded after one use.

(g) Eating utensils shall not be stored with foods or other materials and substances and shall be stored in clean dry containers.

(h) Persons who handle food and/or eating utensils for the group shall maintain personal cleanliness, shall keep hands clean at all times and shall thoroughly wash the hands with soap and water after each visit to the toilet. They shall be free of local infection commonly transmitted through the handling of food or drink and free of communicable disease.

(i) Food shall be stored in clean and dry containers that provide protection from insects, rodents and wildlife. Hazardous substances, medicines, etc., shall not be stored in containers with food.

290-2-7-.15 Reports.

(1) The governing board shall submit on a timely basis such financial, statistical reports, and board minutes and other information as may be required by the Department.

(2) The governing board shall report or cause to be reported to the Office of Regulatory Services of the Department, within 24 hours or the next business day, the following:

(a) Death or serious injury (requiring extensive medical care and/or hospitalization of any Camper in care);

(b) Suicide attempts;

(c) Abuse;

(d) Any federal, state or private legal action by or against the Therapeutic Camp which affects any child, the conduct of the Camp or any person affiliated with the Camp;

(e) Closure of a living unit due to disaster or emergency situations such as fires or severe weather; and

(f) Any injury requiring medical treatment beyond first aid that is received by a camper as a result of any emergency safety intervention.

(3) Child Abuse Reports. Whenever the Therapeutic Camp has reason to believe that a child in care has been subjected to child abuse it shall cause a report of such abuse to be made to the child welfare agency providing protective services as designated by the Department of Human Resources (Division of Family and Children Services) or in the absence of such an agency to an appropriate police authority or district attorney in accordance with the requirements of O.C.G.A. Sec. 19-7-5,

(4) The governing board of the Therapeutic Camp shall report to the Department:

(a) Any change in administrator; and

(b) Any impending change that would necessitate a change in the conditions of the license, i.e. capacity, age range, sex, location or name.

Authority O.C.G.A. Sections 19-7-5 and 49-5-12.

290-2-7-.16 Application for License.

(1) Application for licensure of a Therapeutic Camp shall be made on forms provided by the Department. The application shall be verified by both the Executive Director and Chairman of the Governing Body.

(2) The following material shall be filed with the application:

(a) Certified copy of the current Articles of Incorporation, (if incorporated).

(b) Certified copy of the current Bylaws, (if applicable).

(c) A list of the name and address of the current members of the Governing Body and a notarized letter of acceptance from each.

(d) A list of the professional staff including their education and experience.

(e) Plan for financing including an itemized annual budget, base for any schedule of fees, letter from C.P.A. stating that the bookkeeping system will be set up so that an audit can be made at the end of each fiscal year.

(f) Copy of personnel policies and practices.

(g) Outline of the Therapeutic Camp's proposed program.

(h) Copy of admission policies and procedures.

(i) Documentation of need:

1. Written communications from community leaders in the field of child welfare indicating a need for the services proposed by the applicant; or

2. Recent research data establishing a need for the services being proposed;

3. Evidence that the services will be used by referral sources.

(j) Manual of operating procedures as referred to in Section 290-2-7-.03.

(k) Written disclosure concerning the status of all applications previously made (whether granted, denied, or pending) and licenses previously obtained (whether currently in force, revoked or suspended) for therapeutic camping activities in other jurisdictions by agencies in common control with or under common control of the applicant Agency or Therapeutic Camp or with which the applicant Agency or Therapeutic Camp intends to cooperate in the care and treatment of children. The aforementioned requirement of disclosure will also apply to all applications and licenses for agencies with whom the Administrator or individual board members of the applicant Agency or Therapeutic Camp are affiliated in any capacity. The purpose of this provision is to disclose to the Department full and complete information concerning the prior and continuing efforts of the applicant Agency or Therapeutic Camp, its Executive Director and individual members of the governing body in child care activities in other jurisdictions.

(3) A license to operate a Therapeutic Camp is not transferable. A new application shall be filed when there is a substantial change in membership (50%) of the governing body.

(4) The Department shall consider each application filed and in its discretion, either deny said application, suspend consideration of said application until additional requested information is received, or issue a temporary license, based on a determination that the Therapeutic Camp has made adequate provision to meet these Rules. A Therapeutic Camp's initial license shall be a temporary license, valid for a specified period not to exceed six months.

(a) Upon consideration of an application for renewal of the initial temporary license granted to a Therapeutic Camp the Department may, in its sole discretion, based on the Therapeutic Camp's performance during the initial licensing period, either deny said renewal, issue a full one-year license, or issue an additional temporary license for a specified period not to exceed six months.

(5) An application for renewal of license shall be made no later than 60 days prior to the expiration of a Therapeutic Camp's current license on forms provided by the Department. The application for renewal shall be verified by both the Administrator and Chairman of the Governing Body and shall certify, unless noted otherwise therein, that all of these Rules have been and continue to be complied with and that all information previously filed with the Department is true and correct. All changes in membership of the Governing Body and personnel since the date of last application (whether for initial license or renewal) shall be fully documented, as to names, dates and circumstances.

(6) If an application for licensure is denied, or a license revoked, an application for a new license may not be filed within one year of such denial or revocation.

(7) Information required for relicensing shall be submitted on forms provided by the Department.

(8) The license shall be posted at some point near the entrance or part of the office that is open to view by the public.

290-2-7-.17 Variances and Waivers.

The Department may grant a variance to a rule when the variance is necessary because the rule is not applicable, or to allow experimentation and demonstration of new and innovative approaches to the delivery of services or the Therapeutic Camp has met the intended purpose of the rule through equivalent rules. The Department may establish conditions which must be met by the Therapeutic Camp in order to operate under the variance.

290-2-7-.18 Inspections: Access by Department Staff.

An application for license to operate a Therapeutic Camp shall constitute consent by the Therapeutic Camp for the staff of the Department to enter the premises at any time during normal business hours, with or without prior notice for the purpose of reviewing records, obtaining pertinent information and determining compliance with these Rules.

290-2-7-.19 Enforcement and Penalties.

(1) **Plans of Correction.** If the Department determines that either a therapeutic camp or a facility applying to become licensed as a therapeutic camp does not comply with the rules, the Department shall provide written notice specifying the rule(s) violated and setting a time for the agency not to exceed ten (10) working days within which to file an acceptable written plan of

correction where the Department has determined that an opportunity to correct is permissible. If such plan of correction is determined not acceptable to the Department because it does not adequately correct the identified violation, the Department will advise the therapeutic camp or facility applying to become licensed that the plan of correction is not acceptable. The Department may permit the camp to submit a revised plan of correction.

(a) The camp shall comply with an accepted plan of correction.

(b) Where the Department determines that either the therapeutic camp or the facility applying to become licensed as a therapeutic camp has not filed an acceptable plan of correction or has not complied with the accepted plan of correction, the Department may initiate an adverse action to enforce these rules.

(2) All adverse actions to enforce the Rules and Regulations for Outdoor Therapeutic Camps shall be initiated in accordance with the Rules and Regulations for Enforcement of Licensing Requirements, Chapter 290-1-6, and O.C.G.A. §§ 49-5-12 and 49-5-12.1, Penalties for Violation of Child Welfare Agency Laws and Regulations and § 49-5-60 *et seq.* and the requirements set forth herein.

(3) Required Notifications for Revocations and Suspensions. The camp shall notify each child's parents and/or legal guardians of the Department's actions to revoke the license or seek an emergency suspension of the camp's license to operate.

(a) The official notice of the revocation or emergency suspension action and any final resolution, together with the Department's complaint intake phone number and website address, shall be provided by the camp to each current and prospective child's parents and/or legal guardians.

(b) The camp shall ensure the posting of the official notice at the camp in an area that is visible to each child's parents and/or legal guardians.

(c) The camp shall ensure that the official notice continues to be visible to each child's parents and/or legal guardians throughout the pendency of the revocation and emergency suspension actions, including any appeals.

(d) The camp shall have posted in an area that is readily visible to each child's parents and/or legal guardians any inspection reports that are prepared by the Department during the pendency of any revocation or emergency suspension action.

(e) It shall be a violation of these rules for the camp to permit the removal or obliteration of any posted notices of revocation, emergency suspension action, resolution, or inspection survey during the pendency of any revocation or emergency suspension action.

(f) The Department may post an official notice of the revocation or emergency suspension action on its website or share the notice of the revocation or emergency suspension action and any information pertaining thereto with any other agencies that may have an interest in the welfare of the children in care of the camp.

(g) The Department may suspend any requirements of these rules and the enforcement of any rules where the Governor of the State of Georgia has declared a public health emergency.

Authority O.C.G.A. §§ 31-2-6, 49-5-8, and 49-5-12.